

field, Mo., alleging shipment by said company in violation of the Food and Drugs Act on or about September 26 and October 16, 23, 24, and 26, 1936, from the State of Missouri into the States of New Jersey and New York of quantities of frozen eggs that were adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed and putrid animal substance.

On June 5, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200 and costs.

H. A. WALLACE, *Secretary of Agriculture.*

27331. Adulteration of walnut meats. U. S. v. Herman C. Fisher Co. Plea of guilty. Fine, \$100. (F. & D. no. 39467. Sample no. 28877-C.)

This case involved walnut meats that were in part moldy and insect-eaten.

On May 18, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Herman C. Fisher Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act on or about October 31, 1936, from the State of California into the State of Washington of a quantity of walnuts that were adulterated. The cartons were labeled in part: "Shelled California Walnuts * * * Fisher's Excel Herman C. Fisher Co. San Francisco Calif."

The article was alleged to be adulterated in that it consisted in whole and in part of a filthy and decomposed vegetable substance.

On June 1, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100.

H. A. WALLACE, *Secretary of Agriculture.*

27332. Adulteration of dried codfish. U. S. v. 12 Cases of Dried Codfish. Consent decree of condemnation and destruction. (F. & D. no. 39504. Sample nos. 24390-C, 24392-C.)

This case involved dried codfish that was decomposed.

On April 27, 1937, the United States attorney for the Territory of Hawaii, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cases of dried codfish at Honolulu, Hawaii, alleging that the article had been shipped on or about April 20, 1937, by Alexander & Baldwin, Ltd., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Anchor Brand Whole Codfish, Union Fish Co., San Francisco."

It was alleged to be adulterated in that it was filthy, decomposed, and putrid.

On April 27, 1937, Alexander & Baldwin, Ltd., and the Union Fish Co., claimants, having admitted the allegations of the libel and consented to destruction of the product, judgment of condemnation and destruction was entered.

H. A. WALLACE, *Secretary of Agriculture.*

27333. Adulteration and misbranding of potatoes. U. S. v. 360 Sacks of Potatoes. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 39505. Sample no. 43531-C.)

This case involved potatoes that were below the grade indicated on the label.

On April 26, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 100-pound sacks of potatoes at Hamilton, Ohio, consigned on or about April 20, 1937, alleging that they had been shipped in interstate commerce by Metzger's, Inc., from Greenville, Mich., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Good Luck U. S. Grade No. 1."

It was alleged to be adulterated in that potatoes below U. S. Grade No. 1 had been substituted wholly or in part for U. S. Grade No. 1 potatoes, which it purported to be.

The article was alleged to be misbranded in that the statement "U. S. Grade No. 1" was false and misleading and tended to deceive and mislead the purchaser when applied to potatoes below U. S. Grade No. 1.

On April 28, 1937, Metzger's, Inc., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of this Department.

H. A. WALLACE, *Secretary of Agriculture.*